

1 RENE L. VALLADARES
Federal Public Defender
2 Nevada State Bar No. 11479
JOY CHEN
3 Assistant Federal Public Defender
411 E. Bonneville, Ste. 250
4 Las Vegas, Nevada 89101
(702) 388-6577/Phone
5 (702) 388-6261/Fax
Joy_Chen@fd.org
6 Attorney for Mitchell Jenkins
7

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.
13 MITCHELL JENKINS,
14 Defendant.
15

Case No. 2:24-cv-00346-JCM-EJY

**Stipulation to Extend Time to File
Opening Brief and Answering Brief
(First Request)**

16 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,
17 United States Attorney, and Robert L. Ellman, Assistant United States Attorney, counsel for
18 the United States of America, and Rene L. Valladares, Federal Public Defender, and Joy Chen,
19 Assistant Federal Public Defender, counsel for Mitchell Jenkins, request that the due date for
20 Mr. Jenkins' opening brief (ECF No. 2), be extended thirty (30) days; and that the due date for
21 the government's answering brief be extended thirty (30) days.

22 This Stipulation is entered into for the following reasons:

23 1. This case involves an appeal from a bench trial in which Mr. Jenkins was found
24 guilty of one count of resisting arrest, 43 C.F.R. 8365.1-4(a)(4). The parties disagreed about the
25 proper interpretation of the regulation, for which there is little governing caselaw, and the
26 sufficiency of the evidence presented at trial.

1 2. Given the relative complexity of this appeal, defense counsel needs a few more
2 weeks to review the record, research the issues, and prepare the opening brief.

3 This is the first request for a continuance filed herein.

4 DATED this 23rd day of February 2024.

5
6 RENE L. VALLADARES
7 Federal Public Defender

 JASON M. FRIERSON
 United States Attorney

8 By /s/ Joy Chen
9 JOY CHEN
10 Assistant Federal Public Defender

 By /s/ Robert L. Ellman
 ROBERT L. ELLMAN
 Assistant United States Attorney

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 MITCHELL JENKINS,

7 Defendant.
8

Case No. 2:24-cv-00346-JCM-EJY

ORDER

9
10 IT IS THEREFORE ORDERED that upon consideration of Defendant's Request to
11 Extend Time to File Opening Brief and Answering Brief, that the Defendant's deadline to
12 file his opening brief is extended to **April 1, 2024**; and that the Government's deadline to file
13 its answering brief is extended to **May 1, 2024**.

14 DATED February 26, 2024.

15
16 
17 UNITED STATES DISTRICT JUDGE
18
19
20
21
22
23
24
25
26